



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

## COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS

### Voting Members:

Ron Menor, Chair  
Carol Fukunaga, Vice-Chair  
Ikaika Anderson  
Brandon Elefante  
Ann H. Kobayashi  
Joey Manahan  
Kymberly Marcos Pine  
Heidi Tsuneyoshi  
Tommy Waters

## AGENDA

REGULAR MEETING  
CITY COUNCIL CHAMBER  
TUESDAY, SEPTEMBER 15, 2020  
1:00 P.M.

### PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Twelfth Proclamation issued by Governor David Ige on August 20, 2020, relating to the COVID-19 pandemic, in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting:

### VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

**Members of the public will not be allowed into the meeting room, but may view the meeting on a live broadcast.** The meeting will be viewable: (1) by internet live streaming through [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com) and [http://olelo.granicus.com/MediaPlayer.php?publish\\_id=92](http://olelo.granicus.com/MediaPlayer.php?publish_id=92); and (2) by televised live broadcast on Olelo TV Channel 54.

After the meeting, the meeting will be viewable on demand at <http://www.honolulucitycouncil.tv/>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822; charges may apply.

Some Councilmembers and presenters may be participating in the meeting by interactive conference technology from remote locations.

### ORAL TESTIMONY

Oral testimony will be permitted on all items on the agenda, subject to the following restrictions:

1. Persons may submit oral testimony remotely through the Webex internet platform. To participate, persons should visit [www.webex.com](http://www.webex.com), click "Join," enter meeting number **1467036471** and complete the registration process. Registrants will receive an email that contains links and information on joining the meeting by either phone or video conference. Webex testifiers are strongly encouraged to register at least 24 hours before the start of the meeting. Remote testimony will be taken at the start of the agenda and then closed.
2. Each speaker is limited to one-minute presentation.

Committee on Executive Matters and Legal Affairs Agenda  
Tuesday, September 15, 2020

**WRITTEN TESTIMONY**

Written testimony may be faxed to 768-3827 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting. If submitted, written testimonies, including the testifier's address, email address and phone number, will be available to the public on both the City's Council's pilot website: [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com) as well as the City's legacy DocuShare Website. Written testimony will not be accepted in person at the meeting.

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**MATERIALS AVAILABLE FOR INSPECTION**

Meeting materials ("*board packet*" under HRS Section 92-7.5) are accessible at [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com) by clicking on the link for each item on the online agenda for the meeting.

Accommodations are available upon request to persons with disabilities, please call 768-3119 or send an email to [irene.limos@honolulu.gov](mailto:irene.limos@honolulu.gov) at least three working days prior to the meeting.

## FOR ACTION

1. **RESOLUTION 20-201 - NOMINATION OF PAUL S. AOKI.** Confirming the nomination of Paul S. Aoki to serve as the Corporation Counsel of the City and County of Honolulu. (Transmitted by MM-94) (Public Hearing held 9/2/20)
2. **RESOLUTION 20-145 – (FOR CONDEMNATION) ACQUISITION OF LAND FOR PUBLIC USE.** Providing for the acquisition of land for public use, to wit: Kuahea Street Area Emergency Repairs, situate at Waiomao, Palolo Valley, Honolulu, Oahu, Hawaii and determining and declaring the necessity of the acquisition thereof by Eminent Domain. (Transmitted by Communication D-374)

**PROPOSED CD1 TO RESOLUTION 20-145** (Submitted by Councilmember Menor) – The CD1 (OCS2020-0868/9/8/2020 2:19 PM) makes the following amendments:

- A. Adds a requirement in the first paragraph of the BE IT RESOLVED clause that the Acting Corporation Counsel shall first offer to mediate the dispute as to the valuation of the property with the landowner prior to initiating condemnation proceedings.
  - B. Makes miscellaneous technical and nonsubstantive amendments.
3. **RESOLUTION 20-197 – CHARTER AMENDMENT RELATING TO THE OFFICE OF ECONOMIC REVITALIZATION.** Initiating Amendments to the Revised Charter of the City and County of Honolulu 1973, (2017 Edition), pursuant to the Mayor's Executive Reorganization Authority, relating to the Office of Economic Revitalization. (Transmitted by MM-92)

## INFORMATIONAL BRIEFING

4. **RATIONALE FOR THE RESTRICTIONS, DIRECTIVES, AND EXEMPTIONS UNDER THE MAYOR'S AMENDED SEPTEMBER 8, 2020 EMERGENCY ORDER THAT WILL TAKE EFFECT ON SEPTEMBER 10, 2020.**

## EXECUTIVE SESSION

The Committee anticipates going into Executive Session pursuant to Hawaii Revised Statutes Sections 92-4 and 92-5(a)(4), to consult in a closed meeting with the attorneys for the Council Executive Matters and Legal Affairs Committee on questions and issues pertaining to claims and other matters on the Council's powers, duties, privileges, immunities and/or liabilities.

5. Briefing on Island Insurance Company. Ltd., et al. vs. Smalt & Co. Inc. and City and County of Honolulu vs. Jack Wolf Insurance, Inc.; Civil No. 14-1-1280-06 DEO (Cir. Ct.)
6. Request for authorization to settle a case against the City and County of Honolulu entitled Jianna Bohm, an individual v. City and County of Honolulu, et al., Civil No. CV19-00541 HG/KJM (USDC)
7. Request for authorization to settle a case against the City and County of Honolulu entitled Astrida K. C. Pesentheiner v. City and County of Honolulu, Civil No. 18-1-0837-05 (BIA)
8. Request for authorization to settle a case against the City and County of Honolulu entitled Tracy T. Yoshimura. et al. v. Keith M. Kaneshiro et al., Civil No. 18-00038 LEK-WRP (USDC)
9. Request for authorization to reimburse attorney's fees incurred by Reginald B. Ramones for representation by Lynn E. Panagakos in U.S v. John R. Rabago and Reginald Ramones, CR. No. 19-00040 LEK (USDC)

RON MENOR, Chair  
Committee on Executive Matters and  
Legal Affairs